

2008 DEC -3 PM 4:56

JFW  
12001/004

RECEIVED

DEC 09 2008



OFFICE OF PETITIONS

RECEIVED  
CENTRAL FAX CENTER

DEC 01 2008

4845 Pearl East Circle  
Suite 300  
Boulder, CO 80301

(720) 931-3000, Fax (720) 931-3001

Direct Dial Number:  
(720) 931-3011[www.lathropgage.com](http://www.lathropgage.com)2345 Grand Boulevard,  
Suite 2800  
Kansas City, MO 64108-2612  
(816) 292-2000, Fax (816) 292-2001230 Park Avenue  
Suite 1847  
New York, NY 10169  
(212) 850-6220, Fax (212) 850-6221314 East High Street  
Jefferson City, MO 65101  
(573) 893-4336, Fax (573) 893-539810851 Mastin Blvd.  
Building 82, Suite 1000  
Overland Park, KS 66210-1669  
(913) 451-5100, Fax (913) 451-0875370 17th Street  
Suite 4650  
Denver, CO 80202-5607  
(720) 931-3200, Fax (720) 931-32011845 S. National  
Springfield, MO 65808-4288  
(417) 886-2000, Fax (417) 886-912610 SOUTH BROADWAY, Suite 1300  
St. Louis, MO 63102-1708  
(314) 613-2500, Fax (314) 613-25501200 G Street, N.W.  
Suite 800  
Washington, D.C. 20005  
(202) 434-8984, Fax (202) 434-8982

December 1, 2008

From: Curtis A. Vock

Docket No.: 480393

To:	Company:	Fax Number:	Phone Number:
Commissioner for Patents	U.S. Patent Office	(571) 273-8300	

Number of Pages Transmitted (including this cover sheet): 4

Message:

Applicant(s): William B. Kerfoot	I hereby certify that the Notification Of Loss Of Entitlement To Small Entity Status (1 page) and Deficiency Payment to Correct Error in Small Entity Status (1 page in duplicate) is being transmitted to the Patent and Trademark Office facsimile number (571) 273-8300 on December 1, 2008
Serial No.: 09/943,111	Janice Price
Patent No.: 6,872,318	
Filed: August 30, 2001	
For: Microporous Diffusion Apparatus	

If you have a problem receiving this facsimile, please call: (720) 931-3011

Fax Attendant: \_\_\_\_\_

## CONFIDENTIALITY NOTE:

The information in this facsimile message ("fax") is sent by an attorney or his/her agent, is intended to be confidential and for the use of only the individual or entity named above. The information may be protected by attorney/client privilege, work product immunity or other legal rules. If the reader of this message is not the intended recipient, you are notified that retention, dissemination, distribution or copying of this fax is strictly prohibited. If you receive this fax in error, please notify us immediately by telephone and return it to the address above. Thank you.

RECEIVED  
CENTRAL FAX CENTER

002/004

DEC 01 2008

PATENT  
Attorney Docket No: 480393

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) William B. Kerfoot  
 Serial No. 09/943,111  
 Patent No. 6,872,318  
 Filed August 30, 2001  
 For MICROPOROUS DIFFUSION APPARATUS

Examiner	Hoey, Betsey Morrison
Group Art No.	1724
Confirmation No.	9810

**RECEIVED**  
**DEC 09 2008**

**OFFICE OF PETITIONS**

December 1, 2008

Commissioner for Patents  
 P.O Box 1450  
 Alexandria, VA 22313-1450

## NOTIFICATION OF LOSS OF ENTITLEMENT TO SMALL ENTITY STATUS

(37 CFR §§ 1.27(g)(2) and 1.28(c))

Applicant(s) hereby notify the Patent And Trademark Office that small entity status is not appropriate for this patent application, and that the claim for small entity status as set forth in the original filing of the application for U.S. Patent is hereby withdrawn.

On June 10, 2004, the issue fee was paid and on September 22, 2008, the maintenance fee was paid. Through error and without deceptive intent, Applicant(s) paid the small entity fee. Applicant(s) submit herein a deficiency transmittal and payment of \$1,360 as required under 37 CFR 1.27(g)(2). With this submission, Applicant(s) have complied with all of the requirements for excusal of error in small entity status under 37 CFR 1.28(c). Applicant(s) therefore request that the error in small entity status be excused, and further requests acceptance of the deficiency payment.

Applicant(s) believe no further fees are due, however, if any fee is deemed necessary in connection with this filing, please charge Deposit Account No. 12-0600.

Respectfully submitted,

Date: 12/1/08By: Curtis A. Vock

Curtis A. Vock, Reg. No. 38,356  
 Lathrop & Gage L.C.  
 4845 Pearl East Circle, #300  
 Boulder, CO 80301  
 Telephone: (720) 931-3011  
 Facsimile: (720) 931-3001

12/04/2008 DALLEN 00000001 120600 6872318

01 FC:1559 515.00 DA

12/04/2008 DALLEN 00000002 120600 09943111

01 FC:1461 845.00 DA

2008 DEC -3 PM 4:56

RECEIVED  
CENTRAL FAX CENTER

003/004

DEC 01 2008

PATENT  
Attorney Docket No.: 480393

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) William B. Kerfoot  
 Serial No. 09/943,111  
 Patent No. 6,872,318  
 Filed August 30, 2001  
 For MICROPOROUS DIFFUSION APPARATUS

Examiner Hoey, Betsey Morrison  
 Group Art No. 1724  
 Confirmation No. 9810

RECEIVED

DEC 09 2008

OFFICE OF PETITIONS

December 1, 2008

Commissioner for Patents  
 P.O Box 1450  
 Alexandria, VA 22313-1450

## DEFICIENCY PAYMENT TO CORRECT ERROR IN SMALL ENTITY STATUS

Pursuant to 37 CFR 1.28(c)(1) and (2) an itemization and payment of deficiency owed are hereby submitted. The undersigned requests under § 1.28(d) that the deficiency payment be treated as a notification under § 1.27(g)(2) of the loss of entitlement to small entity status.

Fee Description	Date	Fee Paid	Corrected Fee Amount	Deficiency Due
Issue Fee	06/10/2004	665	1510	845
Maintenance Fee	09/22/2008	465	980	515
<b>Total Deficiency Payment Owed:</b>				<b>\$1360</b>

Applicants hereby authorize the above-referenced \$1,360 fee be charged to Deposit Account No. 12-0600. Applicants believe no further fees are due, however, if any fee is deemed necessary in connection with this filing, please charge Deposit Account No. 12-0600.

Respectfully submitted,

Date: 12/1/08

By: Curtis A. Vock  
 Curtis A. Vock, Reg. No. 38,356  
 Lathrop & Gage L.C.  
 4845 Pearl East Circle, #300  
 Boulder, CO 80301  
 Telephone: (720) 931-3011  
 Facsimile: (720) 931-3001

RECEIVED  
CENTRAL FAX CENTER

004/004

DEC 01 2008

PATENT  
Attorney Docket No.: 480393

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) William B. Kerfoot  
 Serial No. 09/943,111  
 Patent No. 6,872,318  
 Filed August 30, 2001  
 For MICROPOROUS DIFFUSION APPARATUS

Examiner Hoey, Betsey Morrison  
 Group Art No. 1724  
 Confirmation No. 9810  
 DEC 09 2008

OFFICE OF PETITIONS

December 1, 2008

Commissioner for Patents  
 P.O Box 1450  
 Alexandria, VA 22313-1450

## DEFICIENCY PAYMENT TO CORRECT ERROR IN SMALL ENTITY STATUS

Pursuant to 37 CFR 1.28(c)(1) and (2) an itemization and payment of deficiency owed are hereby submitted. The undersigned requests under § 1.28(d) that the deficiency payment be treated as a notification under § 1.27(g)(2) of the loss of entitlement to small entity status.

Fee Description	Date	Fee Paid	Corrected Fee Amount	Deficiency Due
Issue Fee	06/10/2004	665	1510	845
Maintenance Fee	09/22/2008	465	980	515
<b>Total Deficiency Payment Owed:</b>				<b>\$1360</b>

Applicants hereby authorize the above-referenced \$1,360 fee be charged to Deposit Account No. 12-0600. Applicants believe no further fees are due, however, if any fee is deemed necessary in connection with this filing, please charge Deposit Account No. 12-0600.

Respectfully submitted,

Date: 12/1/08

By: Curtis A. Vock  
 Curtis A. Vock, Reg. No. 38,356  
 Lathrop & Gage L.C.  
 4845 Pearl East Circle, #300  
 Boulder, CO 80301  
 Telephone: (720) 931-3011  
 Facsimile: (720) 931-3001